

EC- 6-1-01

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

MAY 31 2001

SHERMAN DIVISION

DAVID J. MALAND, CLERK  
BY DEPUTY 

LONZO GOVAN, #774832

§

VS.

§

CIVIL ACTION NO. 4:00cv424

DIRECTOR, TDCJ-ID

§

ORDER

Came on for consideration, the Petitioner's objections (docket entry #7) to the Report and Recommendation, which concluded that the lawsuit should be dismissed for failure to prosecute. In his objections, the Plaintiff complied with the prior order of this Court by submitting the requisite \$5.00 filing fee. In light of this development, it is accordingly

**ORDERED** that the Report and Recommendation (docket entry #5) is **WITHDRAWN**.

It is further

**ORDERED** that the Clerk of Court shall issue process and the Respondent shall have 40 days in which to show cause why the writ should not be granted or to otherwise plead. Copies of this order and the petition shall be served upon the Attorney General of the State of Texas, Habeas Corpus Division, in Austin, Texas. Such service shall be effected by United States mail with an acknowledgment card.

SIGNED this 1<sup>st</sup> day of June, 2001.

  
ROBERT FAULKNER  
UNITED STATES MAGISTRATE JUDGE

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